

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

J. W. TAYLOR, JR.,)
)
Plaintiff,)
)
vs.) Case No. 1:24-cv-00036-MTS
)
DUNKLIN COUNTY, et al.,)
)
Defendants.)

MEMORANDUM AND ORDER

This matter is before the Court on Plaintiff's Application to Proceed in District Court without Prepaying Fees or Costs. Doc. [2]. Having reviewed Plaintiff's Application and inmate account statement, the Court will grant the Application and assess an initial partial filing fee of two dollars and thirty cents (\$2.30). *See* 28 U.S.C. § 1915(b)(1). Plaintiff shall pay the initial partial filing fee no later than Friday, August 9, 2024. Failure to do so will result in the dismissal of this action without further notice. *See Hutchins v. A.G. Edwards & Sons, Inc.*, 116 F.3d 1256, 1259 (8th Cir. 1997) (“A district court has the power to dismiss a litigant’s cause of action when the litigant fails to comply with the court’s orders.”); *Walker v. Galbreth*, 382 F. App’x 522 (8th Cir. 2010) (per curiam) (affirming dismissal under Federal Rule of Civil Procedure 41(b) for failure to pay initial partial filing fee); *Conley v. Holden*, 109 F. App’x 846 (8th Cir. 2004) (per curiam) (same).

Plaintiff then will be required to make monthly payments in accordance with 28 U.S.C. § 1915(b)(2) until the full \$405 filing fee is paid. *See Ashley v. Dilworth*, 147

F.3d 715, 716 (8th Cir. 1998) (per curiam) (explaining that prisoner-litigants must “pay filing fees in full, with the only issue being whether the inmate pays the entire filing fee at the initiation of the proceeding or in installments over a period of time”).

Accordingly,

IT IS HEREBY ORDERED that Plaintiff’s Application to Proceed in District Court without Prepaying Fees or Costs, Doc. [2], is **GRANTED**.

IT IS FURTHER ORDERED that the Plaintiff shall pay an initial partial filing fee of two dollars and thirty cents (\$2.30) no later than Friday, August 9, 2024. Plaintiff shall make his remittance payable to “Clerk, United States District Court,” and include upon it: (1) his name; (2) his prison registration number; (3) the case number; and (4) that the remittance is for an original proceeding. *See* 28 U.S.C. § 1915(b)(1).

Dated this 25th day of June 2024.



MATTHEW T. SCHELP
UNITED STATES DISTRICT JUDGE